

REMARKS

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of November 2, 2004. Reconsideration of the Application is requested. Claims 11 – 17 were canceled. Claims 18 – 20 were canceled previously. New claims 21 – 36 were added. Claims 1 – 10 and 21- 36 are now pending.

The Examiner stated claims 7 – 9 were objected to as being dependent upon a rejected base claim, independent claim 1. Dependent claim 7 included the limitation of the gun cleaning kit including a plurality of rods stored in at least one of the chambers. Dependent claim 8 included the limitation of the gun cleaning kit including a plurality of brushes stored in at least one of the chambers. Dependent claim 9 included the limitation of the gun cleaning kit including a plurality of jags stored in at least one of the chambers. Applicant has amended claim 1 to include the limitation of the gun cleaning kit including at least one of a rod, a brush and a jag disposed in at least one of the chambers. Further claim 1 was amended to recite the gun cleaning kit including a plurality of pre-moistened gun patches disposed in at least one of the chambers. Accordingly, claim 1 is now patentable, and dependent claims 3 – 10 and 21, depending therefrom, are also patentable.

The Examiner rejected claim 2 under 35 U.S.C. 102(e) as being anticipated by US 20010035416A1 issued to Dodson. The Examiner stated Dodson discloses a gun cleaning kit containing wet wipe patches. New claim 22 was added having the limitations similar to claims 1 and 2. Specifically, claim 22 claims a gun cleaning kit including at least one pre-moistened gun patch. Dodson discloses a container having a first compartment for carrying wet wipes and a second compartment for carrying dry wipes. Dodson does not teach or suggest a gun cleaning kit. Further, Dodson does not teach or suggest a gun cleaning kit for carrying at least one pre-moistened gun patch. A gun patch is a term of art, well known in the industry, for describing a rather small piece of material which can be run through the bore of the gun for cleaning and/or oiling it as described on pages 1 and 2 of Applicant's specification.

Dodson discloses a container for holding wet wipes. While pre-moistened wipes used for cosmetics and skin care may be known, there is no teaching or suggestion in the cited references for using pre-moistened wipes as gun patches. The wipes taught by Dodson, used for changing babies, etc. as described in paragraphs 11 – 13, are far too large to be used as gun patches for running through the bore of a gun. If it is ever

possible, significant alteration of the wipes taught by Dodson would be needed for using them as gun patches. Further, there is no teaching or suggestion in the cited references for using pre-moistened gun patches for cleaning and/or oiling a gun. None of the cited references teaches or suggests pre-moistening a gun patch with bore cleaner or gun oil and storing it in a gun cleaning kit. For all of these reasons, independent claim 22 is patentable over Dodson, as are claims 23 – 36 depending therefrom.

The Examiner rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Dodson in view of US 6797400 issued to Weuthen. The Examiner stated Dodson does not disclose wet wipe (patches) impregnated with gun oil, but Weuthen does. Weuthen teaches wipes impregnated with mineral oil that are used for cosmetic applications and not for cleaning and/or oiling guns. Weuthen does not teach gun patches impregnated (pre-moistened) with gun oil. The cosmetic wipes described in Weuthen are not suitable for use as gun patches. Therefore the combination of Dodson and Weuthen does not teach the gun cleaning kit claimed by the Applicant.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1 – 10, and 21 - 36) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Patrick Floyd, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
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3/2/05
Date


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